

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

BOARD OF EDUCATION FOR THE
SILVER CONSOLIDATED SCHOOLS,

Plaintiff,

v.

LINDA MCMAHON, in her official
capacity as Secretary of Education, *et al.*,

Defendants.

No. 2:25-CV-00586 WJ/GBW

**DEFENDANTS' UNOPPOSED MOTION TO EXTEND RESPONSE
DEADLINE AND HEARING DATE**

Defendants respectfully request an extension of their current deadline to respond to Plaintiff's Motion for a Temporary Restraining Order and/or Preliminary Injunction, ECF No. 6, to Friday, July 11, 2025 and to reschedule the hearing on the motion currently scheduled for July 15, 2025 to July 16, 2025.

On June 20, 2025, Plaintiff filed its complaint initiating the present lawsuit, ECF No. 1. On June 23, 2025, Plaintiff filed its Motion for a Temporary Restraining Order and/or Preliminary Injunction, ECF No. 6. On June 25, 2025, the Court granted leave to Plaintiff to file its motion. ECF No. 8. On July 27, 2025, the United States Attorney's Office was served the complaint via certified mail. On July 2, 2025, the Court scheduled a hearing on Plaintiff's motion for July 15, 2025. ECF No. 10.

A request for an extension may be granted at the discretion of the district court for good cause. *See Candelaria v. Molina Healthcare, Inc.*, No. CV 18-725 WJ/GBW, 2019 WL 4643946, at *4 (D.N.M. Sept. 24, 2019) (under “[t]he applicable standard for extension under [Federal Rule of Civil Procedure] 6(b) . . . a showing of good cause is required.”).

Defendants respectfully request an extension of time to July 11, 2025, to respond to Plaintiff’s Motion. Under the Court’s local rules, a party has 14 days to respond to a motion. D.N.M.LR-Civ. 7.4(a). As leave for Plaintiff’s motion was granted on June 25, 2025, Defendants’ current deadline to respond to the motion is July 9, 2025. Defendants’ request for a modest two-day extension will provide counsel with a more meaningful opportunity to familiarize themselves with the allegations in this matter and provide the Court with an informed position on why the requested relief should be denied. The extension will not delay Plaintiff’s opportunity to obtain the emergency relief it requests, thus neither party will be prejudiced by an extension. Accordingly, there is good cause for an extension of Defendants’ response deadline.

Additionally, Defendants respectfully request the hearing date be rescheduled for July 16, 2025, as Defendants’ counsel is scheduled to be out of town and unavailable for the currently scheduled date of July 15, 2025. Pushing the hearing date back a single day also will not unjustly delay Plaintiff’s opportunity to be heard on its request for emergency relief, therefore rescheduling would not prejudice either party. Accordingly, there is also good cause to reschedule the hearing date.

The parties have conferred, and Plaintiff does not oppose the relief requested in this motion, with the caveat that Plaintiff does oppose rescheduling the hearing date for any other date besides July 16, 2025.

Date: July 7, 2025,

Respectfully Submitted,

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